



# FINANCING GEORGIA'S JUDICIAL SYSTEM

*Welcome*

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## **FINANCING GEORGIA'S JUDICIAL SYSTEM**

# *Why Finance the Courts?*

“The allocation, acquisition, and management of the court’s budget impacts every court operation and, arguably, determines how well, and even whether, courts achieve their mission.”

*NACM Core Competency on Resources, Budget & Finance*





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## What are the Primary Funding Concerns Facing Georgia's Courts?

- Non-Discretionary vs. Discretionary Costs
- County vs. State Funding
- Funding for Ancillary Programs and Services
- Other Sources of Funding or Support



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## What are the Non-Discretionary Costs?

### •Salaries & Benefits

- Judges – various state minimums or local legislation, cannot change during a term, required payments to judicial retirement
- Staffing – minimum staffing required

### •Non-Trial Costs

- Accessibility (ADA) – hearing impaired, assistance, etc
- Security – minimum security measures such as court security plans
- Training – state minimum training required



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## What are the Non-Discretionary Costs?

### • Trial-Related Costs

- Jurors and Jury Commission – daily fees, jury summons, etc
- Court Reporter – statutory minimums
- Interpreters – includes Sign Language (DOJ Advisory!)
- Indigent Defense – appointed attorneys, etc
- Court Ordered Fees – witnesses, experts, mental evaluations, etc
- Bailiffs – optional depending on local need

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## COMPENSATION CHART FOR COURT REPORTERS APPEARING IN COURT PROCEEDINGS

Type of Case/Action	PER DIEM		REALTIME		TAKEDOWN		TRANSCRIPT PRODUCTION COMPENSATION			
	Per Diem Rate Hours: 0-8 / 8-9 / 9+	Paid By: <sup>2</sup>	Per Diem Rate 1st/Additional	Additional Compensation for Takedown	Takedown Rate if applicable	Requirement to Transcribe	Per Page Costs for Orig. & up to 2 copies <sup>2,7</sup>	Paid By:	Per Page Costs for Extra Copies	Paid By:
Felony Pleas	\$190.08 / \$212.85 / \$228.09	County	\$140/\$90 OR \$1.50 pp	NO	N/A	Yes <sup>3</sup>	\$3.78	County <sup>4</sup>	\$1.51	Requesting party or Co. if Indigent
Felony Motions/Trials	\$190.08 / \$212.85 / \$228.09	County	\$140/\$90 OR \$1.50 pp	NO Except voir dire <sup>6</sup> & argument of counsel O.C.G.A. § 15-14-1	\$43.31	Yes, if conviction results	\$3.78	County or Requesting Party	\$1.51	Requesting party or Co. if Indigent
Misdemeanor Pleas	\$190.08 / \$212.85 / \$228.09	County	\$140/\$90 OR \$1.50 pp	NO	N/A	No	\$3.78	Requesting Party	\$1.51	Requesting party or Co. if Indigent
Misdemeanor Motions/Trials	\$190.08 / \$212.85 / \$228.09	County or Parties	\$140/\$90 OR \$1.50 pp	YES unless ordered by judge	\$43.31/hr.	No	\$3.78	Requesting Party	\$1.51	Requesting party or Co. if Indigent
Traffic Pleas	\$190.08 / \$212.85 / \$228.09	County or Parties	\$140/\$90 OR \$1.50 pp incl. ASCII disk	NO	N/A	No	\$3.78	Requesting Party	\$1.51	Requesting Party or Co. if Indigent
Traffic Motions/Trials	\$190.08 / \$212.85 / \$228.09	County or Parties	\$140/\$90 OR \$1.50 pp incl. ASCII disk	YES unless ordered by judge	\$43.31/hr.	No	\$3.78	Requesting Party	\$1.51	Requesting Party or Co. if Indigent
Juvenile Delinquency	\$190.08 / \$212.85 / \$228.09	County	\$140/\$90 OR \$1.50 pp incl. ASCII disk	NO <sup>4</sup>	N/A	May not transcribe w/o order of the court	\$3.78	Requesting Party by order of judge	\$1.51	Requesting Party by order of judge
Juvenile Deprivation	\$190.08 / \$212.85 / \$228.09	County	\$140/\$90 OR \$1.50 pp incl. ASCII disk	NO <sup>4</sup>	\$43.31/hr.	May not transcribe w/o order of the court	\$3.78	Requesting Party by order of judge	\$1.51	Requesting Party by order of judge
Probate	\$190.08 / \$212.85 / \$228.09	County or Parties	\$140/\$90 OR \$1.50 pp incl. ASCII disk	YES unless ordered by judge	\$43.31/hr.	No	\$3.78	Requesting party or at discretion of Judge	\$1.51	Requesting Party or Co. if Indigent
Coroner's Inquest	\$190.08 / \$212.85 / \$228.09	County	\$140/\$90 OR \$1.50 pp incl. ASCII disk	NO see Sec. 1.A. of the Official Fee Schedule <sup>1</sup>	N/A	No	\$3.78	County	\$1.51	Requesting Party
State or Superior Court Civil	\$190.08 / \$212.85 / \$228.09	County or Parties	\$140/\$90 OR \$1.50 pp incl. ASCII disk	YES	\$43.31/hr.	No	\$3.78	Requesting Party	\$1.51	Requesting Party
Magistrate	\$190.08 / \$212.85 / \$228.09	County or Parties	\$140/\$90 OR \$1.50 pp incl. ASCII disk	YES unless ordered by judge	\$43.31/hr.	No	\$3.78	Requesting Party	\$1.51	Requesting Party
Bankruptcy	Contract bid									
Worker's Comp	Contract bid									

- The County can supplement this through salary or other remuneration. See O.C.G.A. § 15-5-21.
- The original and two copies are required to be filed in capitol felony convictions. See O.C.G.A. § 5-6-41. Original and 1 or original only are paid at the same rate (number of copies are those required by the clerk to be filed).
- There is confusion as to who pays the \$3.78 original page rate for cases on appeal. Under O.C.G.A. § 17-8-5, all felony cases where a verdict of guilty is entered must be transcribed. When no appeal is filed, this rate is a charge to the County. Where an appeal is filed, the Attorney General is of the opinion that the requesting party should pay the original page rate.
- There is no authorization for takedown in juvenile cases. See Section 1.B. of the Official Reporter's Fee Schedule.
- If requested, by the Court or required by law to report, then the county pays. In all other cases, the per diem may be charged to the parties.
- Voir dire must be reported in cases seeking the death penalty. See 160 Ga App 391; 287 SE 2d 338 (1981); 246 Ga 341; 271 SE 2d 627 (1980). No extra takedown allowed in this instance.
- Daily copy rate is \$7.58 pp. Expedited rate is \$5.70 pp. Daily & Expedited rates are for uncertified "dirty" transcripts and are not filed in. Certified transcripts are filed if requested at a later date and for the certified page rate for O& up to 2.
- Many trial courts interpret O.C.G.A. § 17-8-5 to provide that felony pleas must also be transcribed.



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## What are the Discretionary Costs?

### •Operating Costs

- Training – additional training for judges and staff
- Equipment & Supplies – minimum needs based on caseload for pens, folders, etc

### •Indirect Costs

- Postage – continuing increase in postage rates (e-filing efforts?)
- Copiers & Paper – high costs in clerk offices



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## County vs. State Funding

- The lower the court, the more local the funding!
- Recent and future state legislative changes – filing fees, court costs, DATE fund, supervision fees, etc
- With continuing state cuts, an increasing burden on the counties – training, indigent defense, prosecuting attorneys, etc



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## What Court Services are Funded Locally?

- Problem Solving Courts
- Diversion Programs
- Ancillary Services

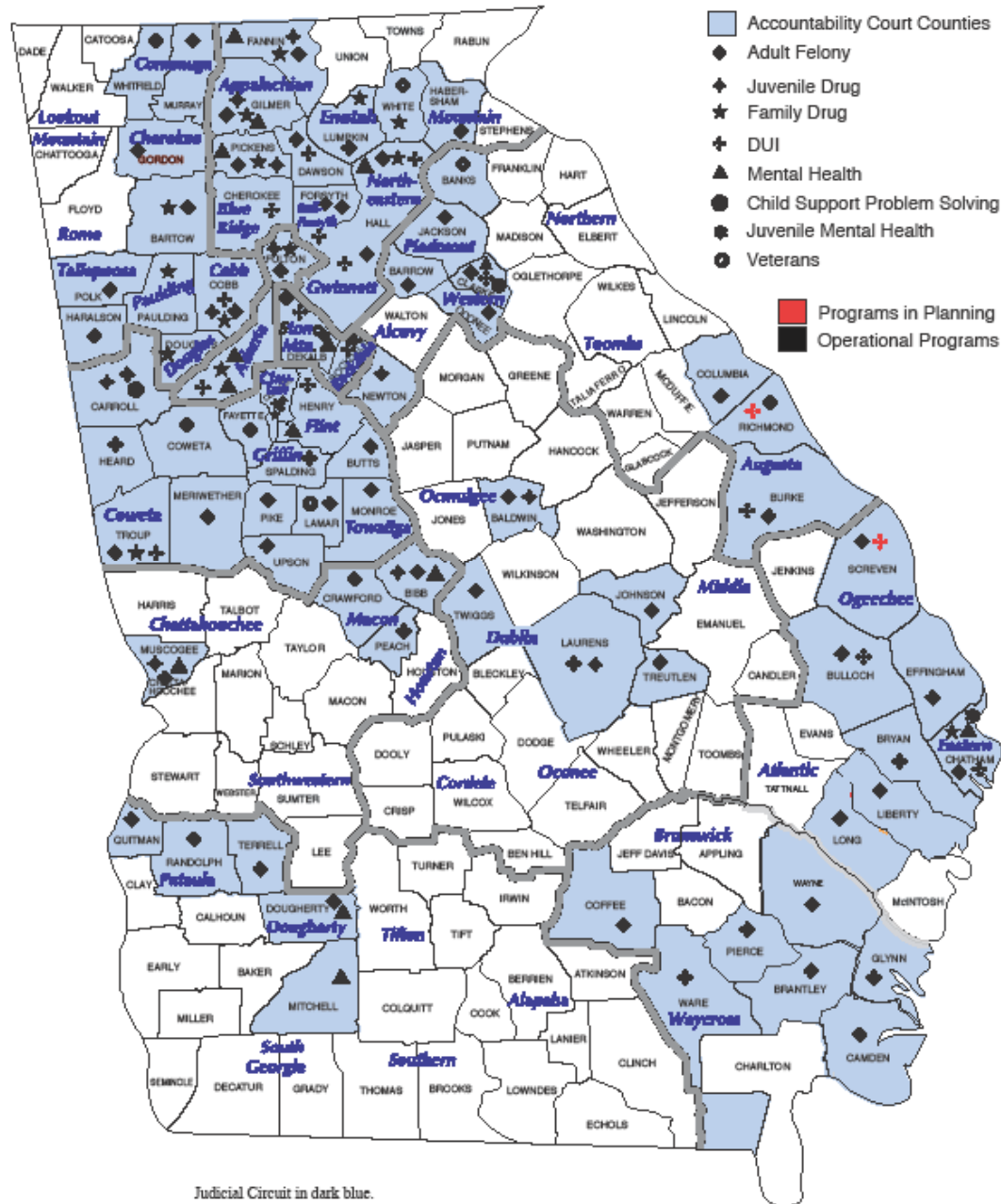


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## Problem Solving Courts

- Drug Courts – adult and juvenile
- DUI Courts
- Veterans Courts
- Mental Health Courts – adult and juvenile
- Family Treatment/Dependency Courts
- Child Support Courts
- Domestic Violence Courts

# Georgia Accountability Courts





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## Diversion Programs

- Pre-Trial Release – generally electronic monitoring as condition of bond
- Pre-Trial Intervention Program – statutory authority for prosecutors
- Problem Solving Courts – some have pre-trial options



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## Funding for Problem Solving Courts & Diversion Programs

- Drug Abuse Treatment & Education (DATE) Funds – drug courts only!
- Program revenues – supervision and participant fees
- State and federal grants – wide variety some are renewable
- Community support – grants, donations, in-kind services, etc



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## Ancillary Court Programs

- **Alternative Dispute Resolution**

- ADR Fee (filing fee on civil cases)

- **Law Library & Self-Help Centers**

- Law Library fund
- Local Bar support

- **Drug Labs**

- Drug Testing fees

- **Probation – private or city/county**

- Supervision Fees
- Increased Fine compliance
- State and Federal grants



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## Budget-Related Performance Measures

- What effect does the program/service have on the court's caseload?

•Work Input	vs.	Work Output
•Effectiveness	vs.	Efficiency
•Need/Demand	vs.	Productivity

- Examples include...

- Percentage of cases expedited
- Percentage of cases removed from traditional court process
- Percentage change in clearance rate
- Reduction in jury trials



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## Budget-Related Performance Measures

- How do these funds affect the mission of the court or program?
- Are there any jail usage savings?
- Are there any savings for other agencies such as law enforcement?
- Are the outcomes defined and measurable?
  - Decrease in recidivism, etc
- What is the long-term plan (i.e., sustainability) for continued funding?

NOTE – many courts may have limited data or data analysis capability



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## Grant Opportunities

### •State Grants

- Criminal Justice Coordinating Council – Courts, Prosecution, Law Enforcement and Victim Assistance
- Judicial Council & Administrative Office of the Courts
- Various Block or Formula Grants

### •Federal Grants

- Byrne Justice Assistance Grant (JAG)
- SAMHSA & Adult Drug Court Discretionary Grants
- Technical Assistance

NOTE – MANY GRANTS REQUIRE 25% OR MORE IN MATCH FUNDING



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## Revenue Enhancement Opportunities

### •Court Costs and Fees

- Assessment of Court Costs – copy charges, record searches, warrant and late fees, etc
- Ordinance or Local Legislation – Administrative/Technology Fee

### •Expanded Payment Options

- Credit Cards
- Extended Hours
- Payment Plans
- Online Payments

### •Traffic Amnesty

- Waiver of late fees or warrant fees
- Extended hours



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## What Can the Courts and Commissioners Do as a TEAM?

### •Regular Communication on Budget Matters

- Confer more often than annual budget process
- Collaborate on grant applications

### •Legislative Outreach at State Level

- Reduce redirection of fees away from the counties
- Continue grant opportunities
- Support Problem-Solving Courts and Diversion programs

### •Support Problem-Solving Courts and Diversion Programs

- Assist in developing community-based support
- Attend graduations and other events



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# Questions & Answers